



**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

CARLOS RODRIGUEZ,

Defendant.

3:13-CR-010-RCJ-(VPC)

PRELIMINARY ORDER OF FORFEITURE

This Court finds that on March 25, 2013, defendant CARLOS RODRIGUEZ pled guilty to Count One of a One-Count Criminal Indictment charging him with Felon in Possession of a Firearm in violation of Title 18, United States Code, Section 922(g)(1). Indictment, ECF No. 1; Plea Memorandum, ECF No. 16.

This Court finds defendant CARLOS RODRIGUEZ agreed to the forfeiture of the property set forth in the Plea Memorandum and in the Forfeiture Allegation of the Criminal Indictment. Indictment, ECF No. 1; Plea Memorandum, ECF No. 16; Change of Plea Minutes, ECF No. 19.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Plea Memorandum and the Forfeiture Allegation of the Criminal Indictment and the offense to which defendant CARLOS RODRIGUEZ pled guilty.

The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c):

- 1 1. Smith & Wesson, .40 caliber semiautomatic pistol, serial number HED0724,
- 2 magazine and ammunition; and
- 3 2. any and all ammunition ("property").

4 This Court finds the United States of America is now entitled to, and should, reduce the
5 aforementioned property to the possession of the United States of America.

6 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
7 United States of America should seize the aforementioned property.

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
9 CARLOS RODRIGUEZ in the aforementioned property is forfeited and is vested in the United
10 States of America and shall be safely held by the United States of America until further order of
11 the Court.

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
13 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
14 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state
15 the time under the applicable statute when a petition contesting the forfeiture must be filed, and
16 state the name and contact information for the government attorney to be served with the petition,
17 pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
19 with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal Building, 400 South
20 Virginia Street, 3rd Floor, Reno, NV 89501.

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
22 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
23 following address at the time of filing:

24 Greg Addington
25 Assistant United States Attorney
26 100 West Liberty Street, Suite 600
 Reno, NV 89501

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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
2 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
3 following publication of notice of seizure and intent to administratively forfeit the above-described
4 property.

5 DATED this 5th day of June, 2013.

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9 UNITED STATES DISTRICT JUDGE
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